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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/682,467 | 09/06/2001 | William W. Rowley | 39288-0112 | 4181 |

24115 7590 08/18/2003

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| EXAMINER |
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NICHOLSON, ERIC K

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| ART UNIT | PAPER NUMBER |
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3679

DATE MAILED: 08/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | |
|------------------------------|------------------------|---------------------|
| Office Action Summary | Application No. | Applicant(s) |
| | 09/682,467 | ROWLEY, WILLIAM W. |
| | Examiner | Art Unit |
| | Eric K Nicholson | 3679 |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 12 May 2003.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1 and 4-34 is/are pending in the application.
- 4a) Of the above claim(s) 19-34 is/are withdrawn from consideration.
- 5) Claim(s) 12-18 is/are allowed.
- 6) Claim(s) 1 and 4-11 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____.
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)
 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____. 6) Other: _____.

DETAILED ACTION

Claim Rejections -35 USC § 112

Claim 4 is rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 4 depends from cancelled claim 3.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. patent 4,598,937 to Sugao in view of U.S. patent 5,169,110 to Villoni et al.. Sugao discloses the claimed invention of a connector for liquids with an inner polymeric liner 2, (column 2, line 3) having a flares end and a bore (fig. 1), a bendable outer metallic sleeve 1, (column 1, last line) having a flared end of similar geometry to the liner flared end and a threaded nut 9 which includes a shelf that contactingly engages the flared ends of the metal sleeve, (fig. 1). The metallic sleeve is considered to be bendable given the small wall thickness (column 1, lines 9-11 and in view of the wall portion 5 being bent (column 2, line 26). However the Sugao patent only illustrates one end of the connector and thus the two flared ends of the liner and sleeve and the two nuts are not shown. Villoni et al. gives evidence to the fact that is it well known in the art to provide fluid connectors with duplicate or matching ends. It would have been obvious to one having ordinary skill in the art at the time the invention was made to duplicate the flared end of Sugao at the other end of the lined connector thus providing two flared ends of the liner and sleeve and two nuts, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Claims 5,6 and 9 are rejected under 35 U.S.C. § 103 as being unpatentable over U.S. patent 4,598,937 to Sugao in view of U.S. patent 5,169,110 to Villoni et al. as applied to claims 1 and 8 above, and further in view of U.S. patent 3,743,328 to Longfellow. The combination of Sugao and Villoni et al. discloses the claimed device as noted above except for the particular structure sleeve having ribs. Longfellow discloses that it is known in the art to provide a similar type coupling (a flexible, ribbed, lined connector with flared ends connected via threaded nuts) with well known ribs 21 to aid in the connecting line to be durably flexible. Ribbed or corrugated connection tubes are known in the art to aid in connecting between two fixed objects where the corrugations add flexibility to the connection line to enable the objects to be connected if the objects being connected happen to be out of alignment with each other. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the bendable fluid connection line of Sugao with the ribs or corrugations as taught by Longfellow, in order to allow for increased flexibility and durability of the connection line should the objects being connected be out of alignment.

Claims 7,10 and 11 are rejected under 35 U.S.C. § 103 as being unpatentable over to Sugao in view of Villoni et al and Longfellow al. as applied to claims 5,6 and 9 above, and further in view of U.S. patent 3,399,908 to Kurtz. The combination of Sugao, Villoni et al. and Longfellow discloses the claimed device as noted above except for there is no mention of using washers for sealing with the liner. Kurtz discloses that it is known in the art to provide a similar type coupling (a lined connector with flared ends connected via threaded nuts) with well known washers 24. Washers are notoriously known in the art to aid in stopping leaks in connections and providing a removable wear component to the connection. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the lined fluid connection of Sugao with washers as taught by Kurtz in order to aid in the sealing of the flared ends during compression make up of the joint and to further assist in the sealing between the two layers of tube.

Allowable Subject Matter

Claims 12-18 are allowable over the prior art of record.

Applicant's arguments with respect to claims 1-11 have been considered but are moot in view of the new grounds of rejection. Applicant's arguments with respect to the restriction requirement have been noted and applicant is referred to MPEP section 818.03(c) and 37 CFR 1.144 where it is noted that applicant may petition the Commissioner to review the requirement. Petition may be deferred until after final action on or allowance of claims to the invention elected, but must be filed not later than appeal. A petition will not be considered if reconsideration of the requirement was not requested.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Nicholson whose telephone number is (703) 308-0829. The examiner can normally be reached on Tuesdays thru Fridays from 7:30 to 6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne Browne, can be reached on (703) 308-1159. The fax

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phone number for Technology Center 3600 is (703) 872-9326 for "before final"
papers and (703) 872-9325 for "after final" papers.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center receptionist whose telephone number is (703) 308-1113.

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7/24/03
W@H



Eric K. Nicholson
Primary Examiner
Technology Center 3600